TRAVANCORE GOVERNMENT GAZETTE SUPPLEMENT.

Tuesday, 15th Sept. 1903.

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Abstract Proceedings of the Travancore Legislative Council.

The Council met in the Dewan's room, Public Offices, at 3-30 P. M., on Monday the 7th September 1903. / 22nd Chingom 1079.

PRESENT.

M. R. Ry. Dewan Bahadur K. Krishnaswamy Rao Avergal, C. I. E., F. M. U., Dewan ... ... *Presiding.*

M. R. Ry. A. Govinda Pillai Avergal, B. A., B. L., F. M. U.
M. R. Ry. T. Rajaram Row Avergal, B. A.
M. R. Ry. V. I. Kesava Pillai Avergal, M. A.
Mr. H. S. Ferguson.
M. R. Ry. S. Dharmaraja Iyer Avergal.
Mr. K. K. Kuruvila, B. C. E.
M. R. Ry. K. P. Padmanabha Menon Avergal, B. A., B. L., M. R. A. S.

The following petitions were reported to the Council :—

No.	From whom received.	Subject.
1.	Muriathu Malamel Narayanan Damodaran Numboori and 3 others.	Hindu Religious Endowments Bill.
2.	N. K. Kunhikrishna Panikkar of Thiruvarppukara, Kottayam, and 68 others.	Bill for the Prevention of Cruelty to Animals.

STAMP BILL.

Mr. Kesava Pillai.—I beg to move for permission to introduce a Bill to consolidate and amend the Stamp Law. The existing Stamp Law is Regulation I of 1059 as amended by Regulation III of 1063. It is an adaptation of the British Indian Stamp Act, I of 1879. That Act was, however, partially amended by some

subsequent Acts; and with a view to adopt some of those amendments and to modify the law in certain other respects, the late Mr. Thanu Pillai introduced in this Council on the 17th Vaikausy 1072, a Bill to amend the Stamp Regulation. But this Bill, after having passed through the process of revision by a Select Committee, was withdrawn with the permission of the Council on the 9th Edavom 1073, when it was promised that another Bill to consolidate and amend the Stamp Regulation will be introduced on a future date. A Bill revising the Stamp Law was at that time under consideration in His Excellency the Viceroy's Council, and it has since been passed and become law in British India as Act II of 1899. The Bill, which it is now proposed to introduce here, has been framed on the lines of the last mentioned British Indian Act, with the necessary modifications and additions required to suit local conditions and circumstances.

The existing Stamp Regulation, which has been now in operation for the last 19 years, has been found by experience to be defective in several matters, its chief defect being the want of clearness. No Act of the Legislature more largely enters into the business transactions of everyday life than the Stamp Act. It is a law which has to be understood and interpreted both by the lawyer and the layman; and its provisions ought, therefore, to be made as clear and intelligible as possible. In the proposed Bill, some of the sections of the Regulation have been so recast as to make them more easily understood, and the schedule has been re-arranged in the alphabetical order for facility of reference. It is also sought to bring within the operation of the Stamp Law certain transactions which might well be included but which are omitted in the existing Regulation, as well as to allow such additional exemptions and concessions as are clearly necessary in the public interests. The present law does not sanction any procedure for the recovery of stamp duties and penalties. This defect is sought to be remedied in the proposed Bill. Provision has also been made for the revision of the orders of the Division Peishcars in Stamp cases. Several other useful alterations and amendments have been introduced in accordance with the British Indian Act. The amendments proposed in the Bill formerly withdrawn and the suggestions of the High Court have been adopted as far as possible.

The necessity for re-enacting the Stamp Law being manifest, I trust the Council will accord permission to introduce the proposed Bill.

Permission was granted accordingly.

BILL TO AMEND REGULATION VI OF 1073.

Mr. Govinda Pillai.—I beg to move that Rule 33 be suspended by the Council, just to enable me to introduce this short Bill. It has been already circulated among the members although, for want of sufficient time, it has not been published in the Gazette. If I am permitted to introduce the Bill at this meeting, it can be published in the Gazette in due course and taken up for the discussion of the principle at the next meeting.

Seconded by Mr. Kuruvila.

President.—This measure has to be considered as somewhat urgent. The necessity for it has arisen in this manner. The High Court have, in a recent case, ruled that, as the law now stands, the Sirkar cannot recover the liabilities of public servants without the aid of the civil courts. I need hardly say that the practice of recovering such liabilities as arrears of revenue is sanctioned by long usage and it is very necessary in the interests of the Sirkar to legalise this procedure. The Bill merely seeks to do this. It is desirable to expedite the passing of this measure, and if the motion now before the Council is carried, a delay of three months will be avoided. The principle of the Bill will, of course, be deferred for consideration to the next meeting.

The Council having suspended the Rule, Mr. Govinda Pillai introduced the Bill, explaining the necessity for the measure as set forth in the Statement of Objects and Reasons and the nature of the provisions contained in the single section which the Bill seeks to introduce in Regulation VI of 1073 relating to departmental enquiries into the conduct of public servants.

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